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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

TERTIUS JOSEPH JOHNSON

CIVIL ACTION NO. 02-798

VERSUS

JUDGE DOHERTY

APACHE CORPORATION, ET AL

MAGISTRATE JUDGE HILL

ORDER OF DISMISSAL

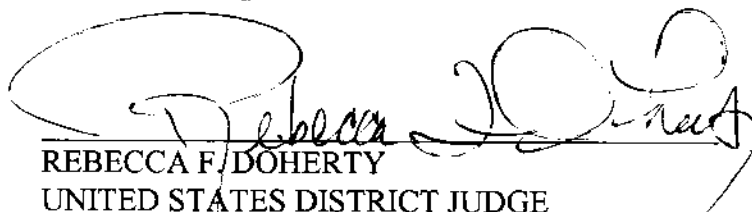
This Court having received notice that the parties to this action have agreed to settle their claims,

IT IS HEREBY ORDERED that this action shall be and is DISMISSED WITHOUT PREJUDICE. No later than sixty (60) days of the date hereof, the parties shall file one of the following: (a) a motion for entry of judgment on all claims; (b) a motion to reopen this matter and reinstate all claims for failure to finalize the settlement agreement; or (c) a motion to enforce the settlement agreement. This Court shall retain jurisdiction over this matter until such time as compliance with this Order has been fulfilled.

IT IS HEREBY FURTHER ORDERED that counsel shall provide this Court, no later than ten (10) days of the date hereof, with written confirmation of the settlement, signed by counsel for all parties to the settlement. In providing this written notice, counsel should be aware that (a) faxed signatures will suffice, if necessary in order to comply with the deadline, but must be supplemented with originals as soon as possible; and (b) it is not necessary for the written confirmation to reference

the terms of the settlement, but may be limited to the fact that an oral settlement agreement has been reached.

THUS DONE AND SIGNED this 25 day of October, 2006.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE